

BILL NO. S-68-03-13

SPECIAL ORDINANCE NO. S- 47-68

AN ORDINANCE approving Sewer Agreement between Casselwood Development Corporation and City of Fort Wayne for construction of Sanitary Sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement approved March 14, 1968, between the City of Fort Wayne, Indiana, by and through its Mayor and Board of Public Works, and CASSELWOOD DEVELOPMENT CORPORATION, as Developer, for:

The construction of sanitary sewer to serve Casselwood Shopping Center and certain lots in Edward H. Hoevel's 1st Addition, as follows:

Located in part of the Northwest quarter of Section 29, Township 30 North, Range 13 East in Allen County, Indiana, and being more particularly described as follows, to-wit:

Beginning at a manhole located 1308 feet East of the centerline of the Hessen Cassel Road and 6 feet North of the South right-of-way line of the Paulding Road; said manhole being the wet well of an existing lift station, in the Northwest quarter of Section 29, Township 30 North, Range 13 East; thence North perpendicular to the South right-of-way line of Paulding Road a distance of 9 feet, thence West parallel to the South right-of-way line of Paulding Road a distance of 1111 feet and there terminating,

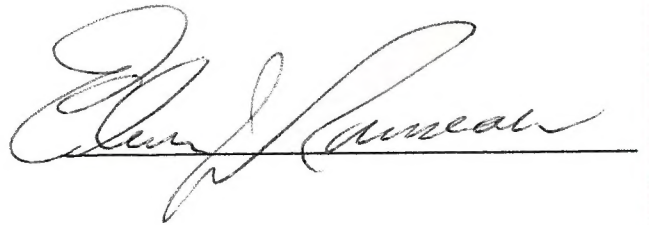
for a total cost of \$16,844.46 to be paid by Developer, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, be and the same is hereby in all things ratified, confirmed and approved.

SECTION 2. The Developer, for itself, its successors in title and assigns, waives and releases any and all rights which it may now or hereafter have to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of any territory now or hereafter owned by it, or

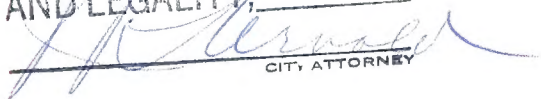
hereafter served by said sewer or any extension thereof.

Any owner or owners of land which is now, or hereafter, located outside the corporate limits of City who connect into the sewer constructed hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by City of such land or of the territory in which it is located or of the area served by said sewer.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

A handwritten signature in cursive script, likely of the Mayor, written over a horizontal line.

APPROVED AS TO FORM
AND LEGALITY.

A handwritten signature in cursive script, likely of the City Attorney, written over a horizontal line.
CITY ATTORNEY

Bill No. S-68-03-13

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance

approving Sewer Agreement between Casselwood Development Corporation and City of

Fort Wayne for construction of Sanitary Sewer,

have had said Ordinance under consideration and beg leave to report back to the Common

Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

PHIL A. STEIGERWALD, Vice-Chairman

JOHN NUCKOLS

THOMAS G. ADAMS

WILLIAM K. GEAKE

[Handwritten signatures of Edwin J. Rousseau, Phil A. Steigerwald, John Nuckols, Thomas G. Adams, and William K. Geake]

CONCURRED IN

DATE 4-9-68 FUAD G. BONAHOOM, CITY CLERK

Read the first time in full and on motion by Heard seconded by Heard and duly adopted, read the second time by title and referred to the (Committee on) Ord (and to the City Planning Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____, 196____, at _____ o'clock _____ P.M., E.S.T.)

Date: 3-26-68

Frank H. Bonahoom
City Clerk

Read the third time in full and on motion by Heard seconded by Heard and duly adopted, placed on its passage.
Passed (~~1968~~) by the following vote:

AYES	NAYS	ABSTAINED	ABSENT	to-wit:
<u>9</u>	<u>0</u>			
Adams				
Dunifon				
Fay				
Geake				
Nuckols				
Robinson				
Rousseau				
Steigerwald				
Tipton				

Date 4-9-68

Frank H. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 5-47-68

on the 9th day of April, 1968.

ATTEST: (SEAL)

Frank H. Bonahoom
City Clerk

Jack R. H. Dunifon
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of April, 1968 at the hour of 10:00 o'clock A.M., E.S.T.

Frank H. Bonahoom
City Clerk

Approved and signed by me this 10th day of April, 1968 at the hour of 4:37 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor